

## **BILL ANALYSIS**

Senate Research Center  
83R21270 YDB-D

H.B. 1396  
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Health & Human Services  
5/14/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 1396 creates a temporary provision, expiring September 2015, that directs the Department of Family and Protective Services (DFPS) and the Department of State Health Services to conduct a study that will determine the availability of data including the number of children who were reported to DFPS as testing positive for drugs at birth; the drugs for which those children tested positive; the number of children removed from their homes who have medical conditions as a result of controlled substances or alcohol; and the number of parents who tested positive during a Child Protective Services investigation.

H.B. 1396 amends current law relating to a study on alcohol and controlled substance statistics prepared by the Department of Family and Protective Services and the Department of State Health Services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Requires the Department of Family and Protective Services (DFPS) and the Department of State Health Services (DSHS), using existing resources, to conduct a study on alcohol and controlled substance statistics. Requires that the study:

(1) determine whether either state agency currently compiles information on:

(A) the number of children reported to the department who at birth tested positive for the presence of alcohol or a controlled substance;

(B) the controlled substances for which the children described by Paragraph (A) of this subdivision tested positive;

(C) the number of children described by Paragraph (A) of this subdivision who were removed from their homes and have been diagnosed as having a disability or chronic medical condition resulting from the presence of alcohol or controlled substances; and

(D) the number of parents who test positive for the presence of a controlled substance during a department investigation of a report of abuse or neglect of the parent's child; and

(2) if neither agency compiles the information described by Subdivision (1) of this subsection, determine which agency can compile the information described by Subdivision (1) of this subsection most effectively and at the lowest cost, and estimate the cost to that agency of compiling the information, preparing a report on the information, posting a copy of the report on the agency's Internet website, and electronically submitting to the legislature a copy of the report.

(b) Requires DFPS and DSHS, not later than November 1, 2014, to electronically submit a copy of the study prepared under Subsection (a) of this section to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing legislative committee with jurisdiction over those departments.

(c) Provides that this section expires September 1, 2015.

SECTION 2. Effective date: September 1, 2013.